

**ST. CROIX COUNTY  
LOCAL EMERGENCY PLANNING COMMITTEE  
BY-LAWS**

**I. INTRODUCTION:**

Federal legislation enacted the Superfund Amendments and Reauthorization Act, Title III (SARA Title III) which is also known as the "Emergency Planning and Community Right to Know Act". SARA Title III required states to adopt local emergency planning districts and create a State Emergency Response Commission. Wisconsin legislation created Wisconsin State Emergency Response Board (SERB). The SERB established local emergency planning districts which coincide with county jurisdictional boundaries on July 17, 1987. The LEPC was confirmed by the SERB on August 13, 1987. Counties were required to create a Local Emergency Planning Committee (LEPC) in accordance with SARA Title III to oversee the hazardous materials planning and community right to know functions. These rules of operation (By-laws) are promulgated under the directive of SARA, Title III, Section 301 (c).

**II. POSTS, POSITIONS, APPOINTMENTS AND ELECTIONS:**

**CHAIRPERSON:**

Subject to the requirements of Title III, Section 301 (c), the committee will elect a chairperson. The Chairperson will preside over meetings of the LEPC. The Chairperson will hold only one elected position in the LEPC for a term of two years.

**VICE CHAIRPERSON:**

In order to assure the continuity of operations in the absence of the Chairperson, the committee has established a post of vice-chairperson and will elect a person for that post. In the absence of the chairperson, the vice-chairperson will preside over meetings of the LEPC. The vice-chairperson will hold only one elected position in the LEPC for a term of two years.

**COORDINATOR OF INFORMATION:**

Subject to the requirements of Title III, Section 303 (c), the committee will designate a Coordinator of Information. The Emergency Support Services Director, or in his/her absence, the Emergency Management Coordinator will undertake those duties and responsibilities as outlined under Title III, Section 301 (c).

**COMMUNITY EMERGENCY COORDINATOR:**

Subject to the requirements of Title III, Section 303 (c) (3), the Committee will designate a Community Emergency Coordinator who will serve at the direction of the LEPC. The County Emergency Support Services Director, or in his/her absence, the Emergency Management Coordinator will undertake those duties as assigned by the plan created under Title III, Section 303, and other responsibilities and duties assigned by the LEPC.

**SECRETARY:**

In order to assure that the proper minutes of all meetings are kept, the Chairperson shall designate a Secretary to keep minutes of the business conducted. Such minutes shall be forwarded to the

Coordinator of Information for distribution as required.

### **III. MEMBERSHIP:**

- A. The County Board Chairperson will recommend to the SERB appointments to the Local Emergency Planning Committee, in order to fill any vacancies or add members to the committee.
- B. A sub-committee will be appointed by the LEPC Chair to recommend individuals to fill vacancies or recommend additional members to serve on the LEPC Committee.
- C. If a member of the LEPC has three unexcused absences consecutively within a twelve month period, that member's seat on the LEPC may be declared vacant by the LEPC Chairperson. Positions vacated in this manner will be filled as described above. Excused absences must be approved by the Chairperson. (State elected officials are exempt from this requirement.)
- D. Members are appointed to represent one of the following groups. Any change in affiliation with original agency will result in the LEPC considering group reassignment or membership termination.
  - Group One Elected State Official, Elected Local Official
  - Group Two Law Enforcement, Emergency Management, Fire Fighting, Health Service, Hospital, Transportation, Local Environmental Organizations
  - Group Three Broadcast Media, Print Media
  - Group Four Community Groups
  - Group Five Owners/Operators subject to the requirements of EPCRA
- E. Members wishing to resign shall do so by submitting a written request to the LEPC Chairperson.

### **IV. QUORUM:**

A quorum will consist of a simple majority of members of the LEPC as approved by SERB.

### **V. VOTING:**

A majority vote of members present where a quorum exists will be needed for passage of all motions. Members unable to attend a meeting may send a designee who will have a proxy vote to vote as directed by the member of the committee they are representing.

### **VI. ALTERNATES:**

Every member of the LEPC appointed by the SERB may select an alternate to attend meetings in his/her absence. The alternate may participate in discussions but will not have voting rights but may carry a proxy vote as described above.

## **VII. MEETINGS:**

- A. Location: The LEPC has established a normal meeting location of the St. Croix County Government Center, 1101 Carmichael Road, Hudson WI 54016. Public notice of meetings outside the normal meeting location will be made at least 24 hours prior to event.
- B. Meeting Dates and Times: The LEPC has established quarterly meeting dates on the first Thursday at 1:00 PM on following months: March, June, September and December. Special meetings of the LEPC may be called by the Chairperson as described below for emergency situations.
- C. Emergency Meeting: During emergency conditions such as an emergency release of a substance covered by the notification requirements of Title III, Section 304, has/is occurring, or is imminent, the Chairperson may call an emergency meeting of the LEPC as soon as possible with the provision that all reasonable attempts are made to notify the public of the meeting through local media. The conduct of business of such meetings will be limited to those items required by the emergency conditions present.
- D. Agenda Items: Items to be included in the agenda will be submitted to the LEPC Coordinator of Information at least two weeks prior to the meetings of the LEPC unless an emergency condition is present. The agenda will be compiled and distributed to committee members, local media representatives, and others who request copies at least 1 week prior to the committee meeting.

## **VIII. PUBLIC OPPORTUNITY:**

The LEPC will in every agenda provide 30 minutes of time to receive public comments and input, if requested. Time for public comment will be allotted on a first come, first serve basis. The LEPC shall limit comments to a certain time frame. Public input time above 30 minutes per meeting will be provided with a majority roll call of the committee. Chairman shall control allocation of time.

## **IX. MINUTES OF MEETINGS:**

Minutes of all meetings and sessions of the LEPC and committees or sub-committees will be distributed to committee members, County Board Chair, County Clerk, and Wisconsin Emergency Management, and others who request them through the Coordinator of Information.

## **X. ADOPTION AND AMENDMENTS OF THE BY-LAWS:**

Adoption of these rules or approval of amendments to the rules can be made at any regular or special meeting of the LEPC as an agenda item with a majority roll call vote.

## **XI. EMERGENCY PLAN:**

Emergency plans will be available to the public upon request. Release of information will be given following the Community Right to Know Policy by the Coordinator of Information.

## **XII. SUB-COMMITTEES:**

Subcommittees shall be named by the Chairperson. The chairperson shall appoint a sub-committee chairperson and committee members when deemed necessary to facilitate the workings of the LEPC. The standing sub-committees will be: Membership, Training, Exercising and Planning.

## **XIII. PARLIAMENTARY AUTHORITY:**

The rules contained in Roberts Rules of Order shall govern this committee in all cases to which they are applicable and in which they are not inconsistent with these By-laws.

## **XIV. PUBLIC INFORMATION REQUESTS:**

Pursuant to Section 312(e3) of the Superfund Amendments and Reauthorization Act of 1986 Title III (SARA) all requests for public information shall be in writing and shall be made with respect to a specific facility. Public records of the LEPC shall be maintained in the Emergency Management Office and available to the public for inspection during normal working hours. LEPC records may not be removed from the Emergency Management office except by Emergency Management personnel for purposes of photo copying or other bona fide governmental function.

Photocopies of LEPC records are available at the current rates for duplication services as noted in the St. Croix County Access to Public Records policy pursuant to §19.34, Wisconsin Statutes and Wisconsin's Public Records Law, §§ 19.31-19.39, Wisconsin Statutes.